

KAPLAN'S.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AMERICAN STEAMSHIP OWNERS MUTUAL
PROTECTION AND INDEMNITY
ASSOCIATION, INC.,

04 Civ. 04309 (LAK) (JCF)

Plaintiff,

-against-

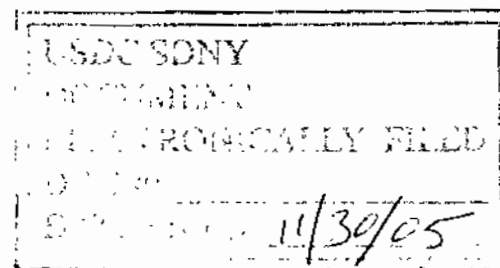
ALCOA STEAMSHIP CO., INC. and the Other
Entities Listed on Exhibit A to Second Amended
Complaint,

Defendants.
-----X

STIPULATION BY
VERIZON TO BE BOUND
BY THE FINAL
DECISIONS OF THIS
COURT OR THE FINAL
SETTLEMENT OF THE
PARTIES

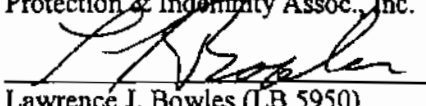
IT IS HEREBY STIPULATED AND AGREED by and between plaintiff, American Steamship Owners Mutual Protection and Indemnity Association, Inc. [the "American Club"] and defendant, Verizon New York Inc., s/h/a Verizon Communications as Successor to New York Telephone Co. ["Verizon"], through their respective counsel, as follows:

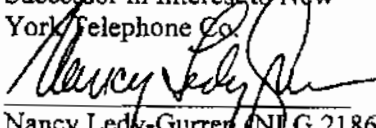
1. VERIZON's predecessor, New York Telephone Co., was a member of the American Club in various Insurance Years before February 20, 1989.
2. In consideration of the following provisions, and solely with respect to the insurance years of its membership in the American Club, VERIZON hereby agrees to be irrevocably bound (a) by the final decisions of this Court, after appeals, if any, with respect to the claims and defenses of all parties adjudicated in this action, or, in the alternative (b) by the terms of any final settlement agreement entered into by all of the defendants which have actively prosecuted their claims and defenses in this action and which settlement terminates this action.



3. Unless otherwise requested, in writing, Verizon need not make a further appearance herein or serve or file any additional pleadings, and Verizon's failure to do so will not be deemed a default.
4. Verizon may be deleted from all service lists herein and no pleadings or notices need be served by any party upon Verizon.
5. Verizon agrees to respond to discovery served upon it by any other party to this action, reserving all proper objections thereto it may have.
6. Verizon will be notified of the final resolution of this action.
7. Verizon agrees that this Court has personal jurisdiction over it in this action and that this Stipulation may be enforced against it by this Court.
8. All defendants who have appeared in this action have been given notice of this Stipulation and an opportunity to object thereto; and to date, no objections have been received.

Dated: September ²⁷, 2005
New York, New York

American Steamship Owners Mutual
Protection & Indemnity Assoc., Inc.
By: 
Lawrence J. Bowles (LB 5950)
Nourse & Bowles, LLP
One Exchange Plaza
New York, New York 10006
(212) 952-6200

Verizon New York Inc., s/h/a
Verizon Communications as
Successor in Interest to New
York Telephone Co.
By: 
Nancy Ledy-Gurren (NLG 2186)
Ledy-Gurren Bass & Siff, L.L.P.
475 Park Avenue South, 8th Fl.
New York, New York 10016
(212) 447-1111

SO ORDERED:


U.S.D.J.
11/30/05